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Attorney for Mr. Avalos

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
(HONORABLE THOMAS J. WHELAN)

UNITED STATES OF AMERICA,) CASE NO. 08CR0299-W

Plaintiff,) DATE: APRIL 10, 2008
) TIME: 9:00 A.M.

v.)

PEDRO AVALOS (2),)

Defendant.)

NOTICE OF MOTIONS AND MOTIONS TO:

- (1) DISMISS THE INDICTMENT FOR
GRAND JURY VIOLATION;
(2) COMPEL DISCOVERY/PRESERVE
EVIDENCE; AND
(3) GRANT LEAVE TO FILE FURTHER
MOTIONS

TO: KAREN HEWITT, UNITED STATES ATTORNEY, AND
STEPHEN DESALVO, ASSISTANT UNITED STATES ATTORNEY:

PLEASE TAKE NOTICE that on April 10, 2008 at 9:00 a.m., or as soon thereafter as counsel may be heard, defendant, Pedro Avalos, by and through his attorney, Siri Shetty, will ask this Court to enter an order granting the following motions.

MOTIONS

Defendant, Pedro Avalos, by and through his attorney, Siri Shetty, asks this Court pursuant to the United States Constitution, the Federal Rules of Criminal Procedure, and all other applicable statutes, case law, and local rules for an order to:

- (1) Dismiss the Indictment for Grand Jury Violation;
- (2) Compel Discovery/Preserve Evidence; and
- (3) Grant Leave to File Further Motions.

These motions are based upon the instant motions and notice of motions, the attached statement of facts and memorandum of points and authorities, the files and records in the above-captioned matter, and any and all other materials that may come to this Court's attention prior to or during the hearing of these motions.

Respectfully submitted,

Dated: April 1, 2008

/s/ Siri Shetty
SIRI SHETTY
Attorney for Mr. Avalos
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